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REMARKS

Entry of this Amendment is proper since it narrows the issues on appeal and does not require further search by the Examiner.

Claims 1-35 are all the claims presently pending in the application. Claims 1, 16, 26 and 28 are independent. Claims 1, 16, 26, 28, 31 and 33-35 have been amended to further define the claimed invention.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and _not_ for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1-5, 7-9, 12, 15-18, 21-25 and 27-34 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Hanson (U.S. Patent No. 6,016,336). Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hanson, in view of Polcyn, et al. (U.S. Patent No. 6,061,433). Claims 10-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hanson, in view of Wu (U.S. Patent No. 6,173,042). Claims 13-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hanson, in view of Csaszar (U.S. Patent No. 5,970,124). Claims 19 and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hanson, in view of Wolf (U.S. Patent No. 5,737,393). Claim 20 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hanson, in view of Juster (U.S. Patent No. 5,724,406). Claim 35 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hanson, in view of Beyda, et al. (U.S. Patent No. 6,487,277).

These rejections are respectfully traversed in the following discussion.

I.   THE CLAIMED INVENTION

Applicant's invention, as disclosed and claimed (e.g., see independent claims 1 and 16), is directed to a method (and system) for personalizing an interactive voice response (IVR) system to reduce a number of key sequences to reach a desired source of information. The claimed

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method includes storing a caller profile, accessing the IVR system via a telephone, and retrieving the caller profile to construct a personalized IVR dialogue menu and play out the personalized IVR dialogue menu via the telephone. The personalized IVR dialogue menu is at least one of based on a caller access pattern and configurable by the caller.

Importantly, the personalized IVR dialogue menu includes a plurality of shortcut paths, and an option for changing the plurality of shortcut paths in the personalized IVR dialogue menu.

Conventional IVR methods/systems may include an option for updating a caller's usage history. However, such methods/systems do not include a personalized IVR dialogue menu which includes an option for changing the personalized IVR dialogue menu. Such conventional methods/systems, therefore, lack flexibility and sophistication (Application at page 11, lines 4-16).

The claimed invention, on the other hand, plays out the personalized IVR dialogue menu includes a plurality of shortcut paths, and an option for changing the plurality of shortcut paths in the personalized IVR dialogue menu (Application at Figures 4 and 5; page 11, lines 17-21). Specifically, the menu itself includes the plurality of shortcut paths and an option of changing the plurality of shortcut paths. These features allow the claimed invention is much more sophisticated, user friendly and flexible than conventional methods/systems.

II.   THE PRIOR ART REFERENCES

A.   The Hanson Reference

The Examiner alleges that Hanson teaches the invention of claims 1-5, 7-9, 12, 15-18, 21-25 and 27-34. Applicant submits, however, that there are elements of the claimed invention that are not taught or suggested by the Hanson reference.

Hanson discloses an interactive voice response system with call trainable routing. In the Hanson system, when a caller calls the facility 9 the service controller 21 asks the caller if he desires to be connected in accordance with his most recent choice. If so, the caller is connected to that selection, and if not, the full length menu manuscript is played for the caller (Hanson at Figure 3; col. 4, lines 27-54). In addition, the service controller 21 may present the caller with an

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additional audio message asking the caller if the caller's usage history is to be updated (Hanson
at col. 5, lines 1-4).

　　　However, Hanson does not teaches or suggests "*said personalized IVR dialogue menu
comprising: a plurality of shortcut paths; and an option for changing said plurality of shortcut
paths in said personalized IVR dialogue menu*" as recited in claim 1 and similarly recited in
claims 16, 26 and 28.

　　　As noted above, unlike conventional IVR methods/systems which lack flexibility and
sophistication (e.g., see Application at Figure 3) , the claimed invention plays out (e.g., via the
telephone) a personalized IVR dialogue menu which includes a plurality of shortcut paths, and an
option for changing the plurality of shortcut paths in the personalized IVR dialogue menu
(Application at Figures 4 and 6; page 11, lines 17-21). Therefore, the claimed invention is much
more sophisticated, user friendly and flexible than conventional methods/systems.

　　　Specifically, in the claimed invention, **the caller is not necessarily limited to just one
shortcut but may choose from more than one shortcut** (e.g., user-defined shortcuts and system
analyzed shortcuts). Moreover, the caller can change the plurality of shortcuts. For example, as
illustrated in the exemplary embodiment of Figure 4, a caller may decide to change the menu to
include a shortcut to go to "transfer fund balance by dollar amount" and may include another
shortcut to go to "change contribution allocation by fund". Thus, the caller is not limited to a
single shortcut based on a most recent call, etc.

　　　Clearly, these novel features are not taught or suggested by Hanson. Indeed, the
Examiner **surprisingly** attempts to rely on col. 5, lines 1-10 of Hanson to support his allegation
that Hanson teaches a personalized IVR dialogue menu as in the claimed invention. However,
the Examiner is clearly incorrect.

　　　Specifically, the Examiner alleges that "[i]f the caller elects to save a usage history, the
caller has changed the personalized IVR dialogue menu" (Office Action at page 4). However,
the menu of the claimed invention is completely different than anything in Hanson.

　　　For example, in the exemplary embodiment of Figure 4, the personalized main menu 402
includes the following:

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1	Transfer fund balance by dollar amount	
2	Account balance by fund	person
3	Change contribution allocation by fund	
4	Total account balance	menu
5.	Default main menu	
6	**Change your personalized menu**	

Thus, the caller in this exemplary embodiment may select from among this list of shortcut paths (e.g., an assortment of offerings) including option 6 which is "change your personalized menu". Such a menu is _not_ available to the caller in the Hanson system.

Indeed, as noted above, in the Hanson system, when a caller calls the facility the service controller 21 asks the caller if he desires to be connected in accordance with his most recent choice. If so, the caller is connected to that selection, and _if not, the full length menu manuscript is played for the caller_ (Hanson at Figure 3; col. 4, lines 27-54). In other words, the caller is given a choice of his most recent choice or listening to the menu. Clearly, the caller's most recent choice is _not_ a part of the menu but is offered as an alternative to the menu. Thus, the fact that the caller may be given the option of updating his usage history does not teach or suggest an option for changing the menu.

Indeed, Applicant would point out that the caller's most recent choice is _not_ "an assortment of offerings" which may involve an assortment (e.g., more than one kind) of offerings. Therefore, the caller's most recent choice, by definition, cannot constitute a menu. Therefore, _merely updating a usage history cannot reasonably be equated with changing a menu_.

To use an analogy, the Hanson system may be equated with entering a restaurant and being offered the daily special. If one is not interested in the special, he may ask to see a menu so that he may be presented with "an assortment of offerings". Any reasonable person would understand that merely being offered the daily special is _not_ the same as being presented with the menu. Moreover, one may change the daily special (e.g., by going back tomorrow), but this _cannot be equated with changing the menu_ which is not typically changed at a customer's whim.

Further, Applicant respectfully submits that even assuming (arguendo) that the caller in the Hanson system is somehow presented with an option of changing the menu, _this still does not teach or suggest a plurality of shortcuts and an option to change the plurality of shortcuts_.

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Indeed, the personalized menu of the claimed invention is clearly not taught or suggested by Hanson. Instead, Hanson expressly teaches that "an **additional** audio message" may be played for the caller. In other words, the caller may be provided with an ability to update his usage history, but **this ability is completely unrelated to the menu**. Instead, this message is **in addition to** any other message (e.g., a menu) which may be played for the caller.

In other words, even assuming (arguendo) that this ability in Hanson can reasonably be equated with changing a menu, it clearly cannot be considered a plurality of shortcuts, and moreover, it the caller in Hanson clearly cannot be considered as being able to change a plurality of shortcuts in a menu.

Indeed, as noted above, Hanson teaches that when the caller connects to the IVR system, he is merely presented with the option of receiving the full-length menu manuscript, or being connected in accordance with the caller's most recent previous choice (Hanson at col. 4, lines 1-54). Nowhere does Hanson teach that the caller is given an option at this point (e.g., when the call is initiated) to change his options. Thus, even assuming (arguendo) that being connected in accordance with the caller's most recent choice is somehow a part of a "menu", nowhere does that "menu" include the option of changing the "menu".

Thus, it is clear that Hanson does not even teach or suggest a personalized main menu as in the claimed invention, let alone a personalized main menu that includes a plurality of shortcut paths and an option for changing the plurality of shortcut paths.

Therefore, Applicant submits that there are elements of the claimed invention which are not taught or suggested by Hanson. Therefore, the Examiner is respectfully requested to withdraw this rejection.

B.   The Polcyn Reference

The Examiner alleges that Hanson would have been combined with Polcyn to form the invention of claim 6. Applicant submits, however, that these references would not have been combined as alleged by the Examiner and even if combined, the combination would not teach or suggest each and every element of the claimed invention.

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Polcyn discloses a system in an automated phone system for obtaining data from sources other than the caller's answer to menu queries, and directing incoming calls to preferred applications based on a customer's usage (Polcyn at Abstract).

However, these references are <u>clearly directed to different matters and solutions and would not have been combined as alleged by the Examiner</u>. Moreover, Applicant respectfully submits that the Examiner has provided insufficient motivation for combining the references as alleged by the Examiner.

Hence, given the completely different problems addressed by the references, let alone those to which the present invention aims to solve, and given the fundamentally different solutions offered by the references to address these disparate problems, there would have been no motivation to combine the references, <u>absent impermissible hindsight</u>.

Moreover, neither Hanson, Polcyn, nor any combination thereof teaches or suggests *"said personalized IVR dialogue menu comprising: a plurality of shortcut paths; and an option for changing said plurality of shortcut paths in said personalized IVR dialogue menu"* as recited in claim 1 and similarly recited in claims 16, 26 and 28.

As noted above, unlike conventional IVR methods/systems which lack flexibility and sophistication (e.g., see Application at Figure 3) , the claimed invention plays out (e.g., via the telephone) <u>a personalized IVR dialogue menu which includes a plurality of shortcut paths, and an option for changing the plurality of shortcut paths in the personalized IVR dialogue menu</u> (Application at Figures 4 and 6; page 11, lines 17-21). Therefore, the claimed invention is much more sophisticated, user friendly and flexible than conventional methods/systems.

Specifically, in the claimed invention, **the caller is not necessarily limited to just one shortcut but may choose from more than one shortcut (e.g., user-defined shortcuts and system analyzed shortcuts)**. Moreover, the caller can change the plurality of shortcuts. For example, as illustrated in the exemplary embodiment of Figure 4, a caller may decide to change the menu to include a shortcut to go to "transfer fund balance by dollar amount" and may include another shortcut to go to "change contribution allocation by fund". Thus, the caller is not limited to a single shortcut based on a most recent call, etc.

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Clearly, these novel features are not taught or suggested by Polcyn. Indeed, Polcyn does not even address at least one of the problems (e.g., the large number of phone keys which a caller must use to navigate an IVR system) which the claimed invention is intended to address.

Applicant notes that the Examiner is merely relying on Polcyn as allegedly disclosing a shortcut based on a most-frequently accessed IVR pattern (which Applicant denies). In other words, the Examiner has not alleged that Polcyn teaches or suggests a personalized IVR dialogue menu which includes a plurality of shortcut paths, and an option for changing the plurality of shortcut paths.

Specifically, nowhere does Polcyn teach or suggest a personalized IVR dialogue menu which includes an option for changing the personalized IVR dialogue menu. Indeed, the system and method of Polcyn are completely different from that of the claimed invention. For example, Polcyn only allows the caller to go directly to the applications or to listen to the standard menu. This is far different from the personalized menu of the present invention.

Furthermore, any intermediate steps are completely eliminated in Polcyn, which is different from the claimed invention where intermediate steps may still be allowed, if the caller decides to so construct his/her personalized menu. Hence, Applicant respectfully submits that the Examiner is incorrect that combining Hanson and Polcyn would have resulted in the claimed invention (e.g., as recited in claim 6).

Therefore, Applicant submits that these references would not have been combined as alleged by the Examiner and even if combined, the combination would not teach or suggest each and every element of the claimed invention. Therefore, the Examiner is respectfully requested to withdraw this rejection.

C.   The Wu Reference

The Examiner alleges that Hanson would have been combined with Wu to form the claimed invention of claims 10-11. Applicant submits, however, that these references would not have been combined as alleged by the Examiner and even if combined, the combination would not teach or suggest each and every element of the claimed invention.

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Wu discloses a system for enabling personal computer access to an IVR system. The system displays the IVR menu on a computer so that a user can interact with the IVR via a computer (Wu at Abstract).

Further, these references are clearly directed to different matters and solutions and would not have been combined as alleged by the Examiner. Moreover, Applicant respectfully submits that the Examiner has provided insufficient motivation for combining the references as alleged by the Examiner.

Hence, given the completely different problems addressed by the references, let alone those to which the present invention aims to solve, and given the fundamentally different solutions offered by the references to address these disparate problems, there would have been no motivation to combine the references, absent impermissible hindsight.

Moreover, neither Wu, Hanson, nor any combination thereof, teaches or suggests *"said personalized IVR dialogue menu comprising: a plurality of shortcut paths; and an option for changing said plurality of shortcut paths in said personalized IVR dialogue menu"* as recited in claim 1 and similarly recited in claims 16, 26 and 28.

As noted above, unlike conventional IVR methods/systems which lack flexibility and sophistication (e.g., see Application at Figure 3) , the claimed invention includes <u>a personalized IVR dialogue menu which includes a plurality of shortcut paths, and an option for changing the plurality of shortcut paths in the personalized IVR dialogue menu</u> (Application at Figures 4 and 6; page 11, lines 17-21).

Specifically, in the claimed invention, <u>the caller is not necessarily limited to just one shortcut but may choose from more than one shortcut</u> (e.g., user-defined shortcuts and system analyzed shortcuts). Moreover, the caller can change the plurality of shortcuts. For example, as illustrated in the exemplary embodiment of Figure 4, a caller may decide to change the menu to include a shortcut to go to "transfer fund balance by dollar amount" and may include another shortcut to go to "change contribution allocation by fund". Thus, the caller is not limited to a single shortcut based on a most recent call, etc.

Clearly, this novel feature is not taught or suggested by Wu. Indeed, Wu does not even

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address at least one of the problems (e.g., the large number of phone keys which a caller must use to navigate an IVR system) which the claimed invention is intended to address.

Applicant notes that the Examiner is merely relying on Wu as allegedly disclosing a display to a caller of an IVR menu to reduce a number of key sequences during interactions (which Applicant denies). In other words, the Examiner has not alleged that Wu teaches or suggests <u>a personalized IVR dialogue menu which includes a plurality of shortcut paths, and an option for changing the plurality of shortcut paths.</u>

In fact, nowhere does Wu teach or suggest a personalized IVR dialogue menu which includes an option for changing the personalized IVR dialogue menu. Indeed, the system and method of Wu are completely different from that of the claimed invention. For example, Wu merely teaches <u>displaying a standard menu on a computer system</u> and allowing a user to select a plurality of destinations that the user wishes to access.

Further, Wu teaches a personal computer (PC) to display a standard IVR menu, and allowing a user to choose one or more destinations on the display. These choices are then converted into access paths to an IVR system. Hence, menu selection is <u>not personalized</u> in the Wu system. Thus, Wu is completely unrelated to the system/method having a personalized menu of the present invention.

Therefore, Applicant submits that these references would not have been combined as alleged by the Examiner and even if combined, the combination would not teach or suggest each and every element of the claimed invention. Therefore, the Examiner is respectfully requested to withdraw this rejection.

D.   The Csaszar Reference

The Examiner alleges that Hanson would have been combined with Csaszar to form the claimed invention of claims 13-14. Applicant submits, however, that these references would not have been combined as alleged by the Examiner and even if combined, the combination would not teach or suggest each and every element of the claimed invention.

Csaszar <u>discloses a method of directed advertising. Specifically, the method uses a</u>

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database having information which the consumer desires to know, a database having attributes of

the consumer, and a database of advertising messages that an IVR system can deliver to the

consumer in response to calls placed to the IVR system (Csaszar at Abstract).

However, Csaszar is completely unrelated to an IVR system and is completely unrelated

to the other references..Hence, given the completely different fields of the references, there

would have been no motivation to combine the references, absent impermissible hindsight.

Moreover, neither Csaszar, Hanson, nor any combination thereof, teaches or suggests

"said personalized IVR dialogue menu comprising: a plurality of shortcut paths; and an option

for changing said plurality of shortcut paths in said personalized IVR dialogue menu" as recited

in claim 1 and similarly recited in claims 16, 26 and 28.

Specifically, in the claimed invention, **the caller is not necessarily limited to just one**

shortcut but may choose from more than one shortcut (e.g., user-defined shortcuts and system

analyzed shortcuts). Moreover, the caller can change the plurality of shortcuts. For example, as

illustrated in the exemplary embodiment of Figure 4, a caller may decide to change the menu to

include a shortcut to go to "transfer fund balance by dollar amount" and may include another

shortcut to go to "change contribution allocation by fund". Thus, the caller is not limited to a

single shortcut based on a most recent call, etc.

Clearly, this novel feature is not taught or suggested by Csaszar. Indeed, Csaszar

does not even address at least one of the problems (e.g., the large number of phone keys which a

caller must use to navigate an IVR system) which the claimed invention is intended to address.

Applicant notes that the Examiner is merely relying on Csaszar as allegedly disclosing

inserting an advertisement into the caller's personalized dialogue menu (which Applicant

denies). In other words, the Examiner has not alleged that Csaszar teaches or suggests a

personalized IVR dialogue menu which includes a plurality of shortcut paths, and an option for

changing the plurality of shortcut paths.

In fact, nowhere does Csaszar teach or suggest a personalized IVR dialogue menu which

includes an option for changing the personalized IVR dialogue menu. Indeed, the system and

method of Csaszar are completely different from that of the claimed invention. In fact, as noted

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above, Csaszar merely discloses a system and method for directed advertising, and is completely
unrelated to an IVR system.

Thus, Csaszar fails to teach or suggest <u>a personalized IVR dialogue menu which includes
a plurality of shortcut paths, and an option for changing the plurality of shortcut paths,</u> as in the
claimed invention. Therefore, Csaszar fails to make up for the deficiencies of the Hanson
reference.

Therefore, Applicant submits that these references would not have been combined as
alleged by the Examiner and even if combined, the combination would not teach or suggest each
and every element of the claimed invention. Therefore, the Examiner is respectfully requested to
withdraw this rejection.

E.   **The Wolf Reference**

The Examiner alleges that Hanson would have been combined with Wolf to form the
claimed invention of claims 19 and 26. Applicant submits, however, that these references would
not have been combined as alleged by the Examiner and even if combined, the combination
would not teach or suggest each and every element of the claimed invention.

Wolf discloses a script based IVR system. In the Wolf system, when a menu is activated
in response to an incoming call, <u>the activated menu queues appropriate events</u> with a script
engine for playing a greeting to the telephone line (Wolf at Abstract).

However, these references are clearly directed to different matters and solutions and
would not have been combined as alleged by the Examiner. Moreover, Applicant respectfully
submits that the Examiner has provided insufficient motivation for combining the references as
alleged by the Examiner.

Hence, given the completely different problems addressed by the references, let alone
those to which the present invention aims to solve, and given the fundamentally different
solutions offered by the references to address these disparate problems, there would have been no
motivation to combine the references, <u>absent impermissible hindsight.</u>

Moreover, neither Wolf, Hanson, nor any combination thereof, teaches or suggests *"said*

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personalized IVR dialogue menu comprising: a plurality of shortcut paths; and an option for changing said plurality of shortcut paths in said personalized IVR dialogue menu" as recited in claim 1 and similarly recited in claims 16, 26 and 28.

Specifically, in the claimed invention, **the caller is not necessarily limited to just one shortcut but may choose from more than one shortcut** (e.g., user-defined shortcuts and system analyzed shortcuts). Moreover, the caller can change the plurality of shortcuts. For example, as illustrated in the exemplary embodiment of Figure 4, a caller may decide to change the menu to include a shortcut to go to "transfer fund balance by dollar amount" and may include another shortcut to go to "change contribution allocation by fund". Thus, the caller is not limited to a single shortcut based on a most recent call, etc.

Clearly, this novel feature is not taught or suggested by Wolf. Indeed, Wolf does not even address at least one of the problems (e.g., the large number of phone keys which a caller must use to navigate an IVR system) which the claimed invention is intended to address.

Applicant notes that the Examiner is merely relying on Wolf as allegedly disclosing a telephone interface module and network interface module (which Applicant denies). In other words, the Examiner has not alleged that Wolf teaches or suggests a personalized IVR dialogue menu which includes a plurality of shortcut paths, and an option for changing the plurality of shortcut paths.

Further, Wolf may disclose building and operating a custom IVR menu. However, Wolf only discloses building and operating a menu via a computer (Wolf at col. 5, lines 10-15). This is clearly shown, for example, in Figure 3 of Wolf, which only shows how a user may use a computer to create a menu.

Thus, nowhere does Wolf teach or suggest a personalized IVR dialogue menu which is played back via the telephone and includes a plurality of shortcut paths, and an option for changing the plurality of shortcut paths. Therefore, Wolf is completely unrelated to the claimed invention. Therefore, Wolf fails to make up for the deficiencies of the Hanson reference.

Therefore, Applicant submits that these references would not have been combined as alleged by the Examiner and even if combined, the combination would not teach or suggest each

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and every element of the claimed invention. Therefore, the Examiner is respectfully requested to withdraw this rejection.

F.   The Juster Reference

The Examiner alleges that Hanson would have been combined with Juster to form the claimed invention of claims 19 and 26. Applicant submits, however, that these references would not have been combined as alleged by the Examiner and even if combined, the combination would not teach or suggest each and every element of the claimed invention.

Juster discloses a call processing system for providing a variety of messaging services. In the Juster system, call processing procedures can be changed or adapted to provide a new or different messaging service without rewriting large amounts of software or redesigning the messaging system (Juster at Abstract).

However, these references are clearly directed to different matters and solutions and would not have been combined as alleged by the Examiner. Moreover, Applicant respectfully submits that the Examiner has provided insufficient motivation for combining the references as alleged by the Examiner.

Hence, given the completely different problems addressed by the references, let alone those to which the present invention aims to solve, and given the fundamentally different solutions offered by the references to address these disparate problems, there would have been no motivation to combine the references, absent impermissible hindsight.

Moreover, neither Juster, Hanson, nor any combination thereof, teaches or suggests *"said personalized IVR dialogue menu comprising: a plurality of shortcut paths; and an option for changing said plurality of shortcut paths in said personalized IVR dialogue menu"* as recited in claim 1 and similarly recited in claims 16, 26 and 28.

Specifically, in the claimed invention, **the caller is not necessarily limited to just one shortcut but may choose from more than one shortcut** (e.g., user-defined shortcuts and system analyzed shortcuts). Moreover, the caller can change the plurality of shortcuts. For example, as illustrated in the exemplary embodiment of Figure 4, a caller may decide to change the menu to

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include a shortcut to go to "transfer fund balance by dollar amount" and may include another

shortcut to go to "change contribution allocation by fund". Thus, the caller is not limited to a

single shortcut based on a most recent call, etc.

Clearly, this novel feature is not taught or suggested by Juster. As noted above, Juster

merely discloses a system in which call processing procedures can be changed or adapted to

provide a new or different messaging service without rewriting large amounts of software or

redesigning the messaging system. Indeed, Juster does not even address at least one of the

problems (e.g., the large number of phone keys which a caller must use to navigate an IVR

system) which the claimed invention is intended to address.

Applicant notes that the Examiner is merely relying on Juster as allegedly disclosing

a dialogue handler (which Applicant denies). In other words, the Examiner has not alleged that

Juster teaches or suggests a personalized IVR dialogue menu which includes a plurality of

shortcut paths, and an option for changing the plurality of shortcut paths.

Thus, nowhere does Juster teach or suggest a personalized IVR dialogue menu which is

played back via the telephone and includes an option for changing the personalized IVR dialogue

menu. Therefore, Juster is completely unrelated to the claimed invention. Therefore, Juster fails

to make up for the deficiencies of the Hanson reference.

Therefore, Applicant submits that these references would not have been combined as

alleged by the Examiner and even if combined, the combination would not teach or suggest each

and every element of the claimed invention. Therefore, the Examiner is respectfully requested to

withdraw this rejection.

G.   The Beyda Reference

The Examiner alleges that Hanson would have been combined with Beyda to form the

claimed invention of claim 35. Applicant submits, however, that these references would not

have been combined as alleged by the Examiner and even if combined, the combination would

not teach or suggest each and every element of the claimed invention.

Beyda discloses an object-oriented call processor which can alleged by employed in a

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wide range of messaging environments (e.g. voice messaging, facsimile mail, notification and

electronic mail) to provide any number and type of messaging service. Call processing

procedures can allegedly be changed or adapted to provide a new or different messaging service

without rewriting large amounts of software or redesigning the messaging system (Breyda at

Abstract).

    However, <u>Beyda is completely unrelated to the other references</u>. Hence, given the

completely different fields of the references, there would have been no motivation to combine the

references, <u>absent impermissible hindsight</u>.

    Moreover, neither Beyda, nor Hanson, nor any combination thereof, teaches or suggests

"said personalized IVR dialogue menu comprising: a plurality of shortcut paths; and an option

for changing said plurality of shortcut paths in said personalized IVR dialogue menu" as recited

in claim 1 and similarly recited in claims 16, 26 and 28.

    Specifically, in the claimed invention, **the caller is not necessarily limited to just one**

shortcut but may choose from more than one shortcut (e.g., user-defined shortcuts and system

analyzed shortcuts). Moreover, the caller can change the plurality of shortcuts. For example, as

illustrated in the exemplary embodiment of Figure 4, a caller may decide to change the menu to

include a shortcut to go to "transfer fund balance by dollar amount" and may include another

shortcut to go to "change contribution allocation by fund". Thus, the caller is not limited to a

single shortcut based on a most recent call, etc.

    Clearly, this novel feature is not taught or suggested by Beyda. Indeed, nowhere does

Beyda teach or suggest a personalized IVR dialogue menu which includes <u>a plurality of shortcut</u>

<u>paths, and an option for changing the plurality of shortcut paths.</u> Indeed, the system and method

of Beyda are completely different from that of the claimed invention.

    The Examiner attempts to rely on col. 7, lines 35-45 in Beyda to support his position.

However, nowhere does this passage (nor anywhere else in Beyda for that matter) teach or

suggest <u>the personalized IVR dialogue menu of the claimed invention</u>. In fact, this passage in

Beyda merely teaches that by selecting a key, a caller <u>may store the end function</u> selected so that

the next time he logs in, he will go directly to that end function. In other words, the next time the

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caller logs in he will not be presented with a menu, but will go directly to a particular function.

Thus, unlike the claimed invention, in which the menu includes a plurality of shortcut paths, and an option for changing the plurality of shortcut paths, Beyda merely presents a caller with a n option for avoiding the menu during the next call. Clearly, this is completely different from the claimed invention.

Thus, Beyda fails to teach or suggest a personalized IVR dialogue menu which includes a plurality of shortcut paths, and an option for changing the plurality of shortcut paths, as in the claimed invention. Therefore, Beyda fails to make up for the deficiencies of the Hanson reference.

Therefore, Applicant submits that these references would not have been combined as alleged by the Examiner and even if combined, the combination would not teach or suggest each and every element of the claimed invention. Therefore, the Examiner is respectfully requested to withdraw this rejection.
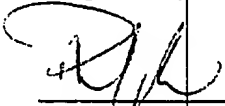
III.   FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 1-35, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 50-0510.

Respectfully Submitted,

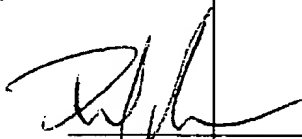Date: _3/5/04_

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<u>**CERTIFICATE OF FACSIMILE TRANSMISSION**</u>

I hereby certify that the foregoing Response was filed by facsimile with the United States
Patent and Trademark Office, Examiner Olisa Anwah, Group Art Unit # 2645 at fax number
(703) 872-9306 this 5th day of February, 2003.

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